

### REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-20 were pending in this application. Claims 15 and 19 have been amended hereby to overcome the rejection. Accordingly, claims 1-20 will remain pending herein upon entry of this Amendment. For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action mailed June 21, 2004, claims 1-14 were allowed but claims 15, 19, and 20 were rejected under 35 U.S.C. 102(b) as being anticipated by the admitted prior art of Fig. 2. Claims 16-18 were objected to but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants acknowledge with appreciation of the allowance of claims 1-14 and the allowability of claims 16-18. Applicants, however, have amended claim 15 to overcome the rejection of claims 15, 19, and 20. Thus, to the extent that the §102 rejection might still be applied to claims presently pending in this application, it is respectfully traversed.

Amended claim 15 recites "setting the frequency domain of said multimode filter in accordance with a selection of the recording mode of said optical storage device." As described at, for example, page 3, lines 19-29 of the specification, a multimode filter of the present invention is a unitary filtering element that includes a CLV mode filter, a CAV mode filter and a switching element so that an individual servo digital filter can be selected to process the error signal according to the recording mode of the optical storage device. As admitted by the

Examiner, none of the cited prior art shows or teaches filtering an error signal in an optical disk apparatus using a multimode filtering element having a "CAV mode filter", a "CLV mode filter" and a switching element to switch between either one of the mode filters as shown in Fig. 3 of the present application. Accordingly, Applicants respectively submit that amended claim 15 is distinguishable from the admitted prior art of Fig. 2 as the servo digital filter disclosed in Fig. 2 is operating with a fixed range of frequency domain and a fixed amount of bandwidth to filter the error signal. That is, the servo digital filter of Fig. 2 is not capable of selecting an frequency domain "in accordance with a selection of the recoding mode of said optical storage device", as recited in amended claim 15.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

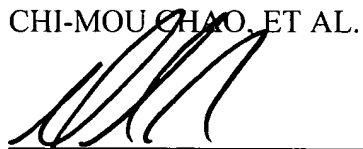
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Respectfully submitted,

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